

DT02 c'd PCT/PTO 22 NOV 2004 *pat*

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  Wolfgang BREMSER Winfried STÜBBE Elke WESTHOFF Manuela NIEMEIER Andreas POPPE	Practitioner's Docket No. PAT-00361
Serial No.: 10/510,997	Group Art Unit: Not Assigned
Filed: 10/12/2004	Examiner: Not Assigned

For: Aqueous Dispersion of Inorganic Nanoparticles, Method for the Production and Use Thereof

## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

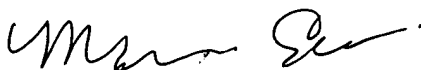
I hereby certify that the attached correspondence comprising:

<input checked="" type="checkbox"/>	Information Disclosure Statement in DUPLICATE
<input checked="" type="checkbox"/>	PTO-1449 Form
<input checked="" type="checkbox"/>	Cited References

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

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P.O. Box 1450  
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Marjorie Ellis

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(type or print name of person certifying)

(Certificate of Mailing under 37 CFR 1.8(a) [8-2])



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

**NOTE: This application is also copending with the national stage application for PCT/EP03/04767.**

**COPIES PROVIDED:**

☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, U.S. patent application publications, copies of U.S. applications that were filed on or after June 30, 2003, and copies of U.S. applications that were filed before June 30, 2003 that are available in the Image File Wrapper System.

☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [\_\_\_\_], filed on [\_\_\_\_]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [\_\_\_\_] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

**FOREIGN LANGUAGE DOCUMENTS**

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☒ The following non-English language references were cited in the specification. The English language equivalents/translations for these references are being submitted in substitution for and/or in addition to the non-English references.

Cited in national stage for PCT/EP03/04767	U.S./English Equivalent
DE19909877	U.S. Serial No. 09/914,545, filed 8-30-01, Betz et al.
DE19920801	U.S. Serial No. 10/009,394, filed 10-25-01, Allard et al.
DE3836815	Abstract for DE3836815 from EPO, 1990-07-26.
EP365027	Abstract for EP365027 from EPO, 1990-04-25.

- ☐ English language abstract for the following non-English references are enclosed.
- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

**CERTIFICATION:**

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

Information Disclosure Statement  
Page 3


- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$180.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation **Deposit Account No. 23-3425** for any additional fees due hereunder.

Reg. No.: 33,772

Tel. No.: ( 248 ) 948-2021

Customer No. 26922



SIGNATURE OF ATTORNEY and DATE

Anne Gerry Sabourin

Type or print name of attorney

**BASF Corporation**

**26701 Telegraph Road**

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**Southfield, Michigan 48034-2442**

FORM PTO-1449  
(MODIFIED)US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

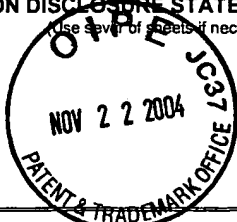
Atty. Docket No.: PAT 00361

INFORMATION DISCLOSURE STATEMENT BY APPLICANT  
(Use back of sheets if necessary)

In re Application of: Wolfgang BREMSER et al

Serial No.:

Filed:



Examiner initial		DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE	
	AA	20030125460	07/03/2003	Kato et al.	07/05/02	
	AB	6,261,645	07/17/2001	Betz et al.	11/05/1999	
	AC	6,419,989	07/16/2002	Betz et al.	06/06/2001	
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					
Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AM	DE3836815	26.07.90	DE		X
	AN	EP365027	25.04.90	EP		X
	AO	WO03/095567	20.11.03	WO	X	
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
	AV	Abstract for DE3836815 from EPO, 1990-07-26.				
	AW	Abstract for EP365027 from EPO, 1990-04-25.				
	AX	U.S. Serial No. 09/914,545, filed 8-30-01, Betz et al.				
	AY	U.S. Serial No. 10/009,394, filed 10-25-01, Allard et al.				
	AZ					
EXAMINER			DATE CONSIDERED			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

\*Applicant has modified this form by deleting the word "prior".